

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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JUL 02 2007

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45216

7590

04/12/2007

KUNZLER & ASSOCIATES
 8 EAST BROADWAY
 SUITE 600
 SALT LAKE CITY, UT 84111

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,066

11/03/2003

David Alan Burton

END9-2002-0013US1

3719

TITLE OF INVENTION: SPECULATIVE DATA MIRRORING APPARATUS METHOD AND SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1400

\$300

\$0

\$1700

07/12/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
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PEUGH, BRIAN R

2187

711-162000

07/03/2007 AWONDAF2 00000083 090466 10700066

01 FC:1501

1400.00 DA

02 FC:1504

300.00 DA

03 FC:8001

3.00 DA

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent from page 8001

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Kunzler & McKenzie

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

International Business
 Machines Corporation

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Armonk, NY

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☒ Advance Order - # of Copies 1

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 09-0466 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Brian C. Kunzler

Date

6/19/07

Typed or printed name

Brian C. Kunzler

Registration No.

38,527

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT
Docket No. END920020013US1

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT(S): DAVID ALAN BURTON

SERIAL NO.: 10/700,066

FILING DATE: NOVEMBER 3, 2003

TITLE: SPECULATIVE DATA MIRRORING APPARATUS, METHOD AND
 SYSTEM

EXAMINER: BRIAN R. PEUGH

GROUP ART UNIT: 2187

ATTY. DKT. No.: END920020013US1

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL OF THE
PAYMENT OF ISSUE FEE**

Sir:

The enclosed Payment of the Issue Fee Due is submitted herewith pursuant to 37 C.F.R. § 1.67 and M.P.E.P. § 603.01 for filing in the matter of the United States patent application as hereinabove identified. A duplicate copy of this sheet is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Commissioner of Patents
June 13, 2007
Page 2

Respectfully Submitted,
Brian C. Kunzler

A handwritten signature in black ink, appearing to read "B. C. Kunzler", is written over a horizontal line.

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: June 13, 2007

Brian C. Kunzler
8 East Broadway, Suite 600
Salt Lake City, Utah 84111
Telephone: 801/994-4646



CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to:
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on

Respectfully submitted,

Transmitted: Transmittal of Payment of Issue Fee.

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 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin: 5px 0;">Note: Effective December 8, 2004. Patent fees are subject to annual revision.</p>	Complete If Known		
	Application Number	10/700,066	
	Filing Date	November 3, 2003	
	First Named Inventor	David Alan Burton	
	Group Art Unit	2187	
	Examiner Name	Brian R. Peugh	
TOTAL AMOUNT OF PAYMENT	\$ 1703	Attorney Docket Number	END920020013US1

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <u>09-0466</u></p> <p>Deposit Account Name: <u>IBM CORPORATION</u></p> <p>Charge Any Additional X Fee Required Under 37 CFR 1.16 and 1.17</p> <p>Charge the Issue Fee <input type="checkbox"/> In 37 CFR at the Mailing of the Notice of Allowance</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Money Order X Other</p>	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td colspan="6"> </td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2160</td><td>2255</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive -unavoidably</td><td></td></tr> <tr><td colspan="6"> </td></tr> <tr><td>1453</td><td>1370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1400</td><td>2501</td><td>700</td><td>Utility issue fee</td><td>1400</td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>1100</td><td>2503</td><td>550</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for continued examination (RCE) (37 CFR 1.114)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr> <td colspan="5">Other fee (specify) <u> </u> Fee Code: 8001 Fee: 3.00 each Printed Copy of Patent w/o color, regular service delivery by USPS, UPSTO Box, or electronic means.</td> <td>3</td> </tr> <tr> <td colspan="5">Other fee (specify) <u> </u> Publication Fee</td> <td>300</td> </tr> <tr> <td colspan="5"> 1. FILING FEE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1011</td><td>300</td><td>2011</td><td>150</td><td>Utility filing fee</td><td></td></tr> <tr><td>1111</td><td>500</td><td>2111</td><td>250</td><td>Utility search fee</td><td></td></tr> <tr><td>1311</td><td>200</td><td>2311</td><td>100</td><td>Utility examination fee</td><td></td></tr> <tr><td>1084</td><td>250</td><td>2004</td><td>125</td><td>Utility size fee for each additional 50 over 100</td><td></td></tr> <tr><td>1005</td><td>200</td><td>2005</td><td>100</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (1)</td> <td></td> <td>\$ 0</td> </tr> </tbody> </table> </td> <td></td> </tr> <tr> <td colspan="5"> 2. 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1255	2160	2255	1080	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																																																	
1401	500	2401	250	Notice of Appeal																																																																																																																																																																																																																																																																																																																																																	
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																																																	
1403	1000	2403	500	Request for oral hearing																																																																																																																																																																																																																																																																																																																																																	
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																																																	
1452	110	2452	55	Petition to revive -unavoidably																																																																																																																																																																																																																																																																																																																																																	
1453	1370	2453	685	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																																																	
1501	1400	2501	700	Utility issue fee	1400																																																																																																																																																																																																																																																																																																																																																
1502	800	2502	400	Design issue fee																																																																																																																																																																																																																																																																																																																																																	
1503	1100	2503	550	Plant issue fee																																																																																																																																																																																																																																																																																																																																																	
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																																																	
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																																																																																																	
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																																																	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																																																	
1801	790	2801	395	Request for continued examination (RCE) (37 CFR 1.114)																																																																																																																																																																																																																																																																																																																																																	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																																																	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																																																	
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Brian C. Kunzler		Reg. Number	38,527
Signature		Date	Jun 13, 2007	Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington,